

REMARKS

In the Office Action mailed on August 30, 2005, the Examiner rejected all the claims.

Claims 83-129 were rejected for double patenting vis a vis copending US Application No. 10/762,230.

Claims 83-89 were rejected under 35 U.S.C. §103(a), as being unpatentable over Chang (DE 29717774) in view of Howard.

Claims 90-97 were rejected under 35 U.S.C. §103(a), as being unpatentable over Chang in view of Howard and further in view of Torii.

Claims 98, 100, 101 were rejected under 35 U.S.C. §102(b), as being clearly anticipated by Jacobs.

Claim 99 was rejected under 35 U.S.C. §103(a), as being unpatentable over Jacobs in view of Howard.

Claim 102 was rejected under 35 U.S.C. §103(a), as being unpatentable over Jacobs in view of Torii.

Claims 103, 104, 106 were rejected under 35 U.S.C. §102(b), as being clearly anticipated by Klopotek.

Claim 105 was rejected under 35 U.S.C. §103(a), as being unpatentable over Klopotek in view of Jacobs.

Claim 107 was rejected under 35 U.S.C. §102(b), as being anticipated by Shadduck.

Claim 108 was rejected under 35 U.S.C. §103(a), as being unpatentable over Shadduck in view of Marasco.

Claims 109-129 were rejected under 35 U.S.C. §102(b), as being clearly anticipated by Morcland.

Applicants respectfully traverse the rejections.

Additionally, Applicants are submitting herewith a Terminal Disclaimer to comply with 37 C.F.R. §1.321(c).

**Claims 83-97 Rejection Under 35 U.S.C. §102(b) or 35 U.S.C. 103(a),
with regard to Chang, Howard, Torii, Klopotek and Jacobs**

To better highlight the distinctive features of the claimed invention, the claims have been amended.

Respectfully, while Chang teaches a plurality of beauty treatment devices, arranged within a case, and Howard teaches a programmable vacuum system, Chang's system cannot be converted to a programmable system, which automatically applies different modes of treatments, such as vacuum massage, ultrasound, infrared light, and others, because, as seen in Figure 1 of Chang's, each treatment is applied with a different applicator.

This is in contrast to the capabilities taught by the application of the present invention, for example, as shown in Figure 3A-3C and 4A-4B thereof, and as recited in claim 83:

"A face-and-body-treatment system, adapted for self application, comprising:
a programmable computerized device, which controls the operation of a treatment device;

the treatment device, configured to apply at least two different modes of treatment...."

Troii includes different applicators, but all for the same mode of treatment, for example, vacuum. Thus Troii too cannot be configured to apply at least two different modes of treatment.

Additionally, as taught by Figure 15 of the present application, and as further recited in claim 83, reproduced hereinbelow, the programmable computerized device includes a logic of predetermined restrictions to ensure that the different modes of treatment are compatible with each other.

"wherein the programmable computerized device includes a logic of predetermined restrictions, allowing simultaneous operations of different modes of treatment, which are compatible with each other, and restricting others."

With regard to Figure 15 of the present application, it will be appreciated that the term Tandem (TD) in Figure 15 refers to the definition by the Merriam-Webster Online Dictionary:

"Tandem - working or occurring in conjunction with each other."

Preferably, there is a synergetic effect in the combination. The combination may be applied simultaneously or one after the other, to produce the synergetic effect.

Sequence (SQ) relates to modes that may be incompatible together, hence, they are restricted from operating together by the logic of predetermined restrictions.

For example, Klopoteck describes an epilation system, and Jacobs describes a vacuum and ultrasound system. Together, they illustrate a combination where some restrictive logic may be advisable: while epilation with vacuum may be applied together, for the synergetic effect of sucking away the removed hair, there may be no synergetic effect to ultrasound and epilation – in fact, this combination may be too irritating to the skin and may be restricted, by the logic of predetermined restrictions.

Applicants respectfully submit that claims 83–97 are patentable.

**Claims 98-102 Rejection Under 35 U.S.C. 102(b) or 35 U.S.C. 103(a),
with regard to Jacobs, Howard, and Torii**

Claims 98-102 have been canceled, without prejudice. Their substance is included in claim 83.

**Claims 103-106 Rejection Under 35 U.S.C. §102(b) or 35 U.S.C. §103(a),
with regard to Klopoteck and Jacobs**

Claims 103-106 have been canceled, without prejudice. Their substance is included in claim 83.

**Claims 107 and 108 Rejection Under 35 U.S.C. §102(b) or 35 U.S.C. §103(a),
with regard to Shaddock and Marasco**

Claims 107 and 108 have been canceled, without prejudice. Their substance is included in claim 83.

**Claims 109–129 Rejection Under 35 U.S.C. §102(b)
with regard to Moreland**

Respectfully, Moreland teaches a diving apparatus, where the oxygen is used for breathing by the driver. In the present application, the oxygen can is intended for molecular transport through the skin, with the aid of a carrier, for example an aromatic oil, which enables the molecular transport mechanism, through the skin. Hence claims 109 and 118 recite:

a carrying substance, for enabling said oxygen to be absorbed by a tissue, by a transport mechanism through the skin.

10

It is respectfully urged that claims 83-97 and 109-129 are patentable and their allowance is respectfully requested.

Respectfully submitted,



Martin Moynihan,
Registration No. 40,338

Date: November 30, 2005

Encl.:

Terminal Disclaimer under 37 C.F.R. §1.321(c); and